

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 06-1776 (DSD/AJB)

Darius Moss,

Petitioner,

v.

ORDER

C. Holinka, Warden,

Respondent.

This matter is before the court upon the petitioner's objections to the report and recommendation of United States Magistrate Judge Arthur J. Boylan, dated May 23, 2006. In his report, the magistrate judge concluded that the petitioner's application for habeas corpus relief should be dismissed.

The court reviews the reports and recommendations of the magistrate judge de novo. 28 U.S.C. § 636(b)(1)(C). After a thorough review of the entire file and record, the court finds that the magistrate judge's report and recommendation is well-reasoned and correctly applies the law to the petitioner's claim brought under 28 U.S.C. § 2241. Therefore, the court adopts the report and recommendation of the magistrate judge in its entirety.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241 [Doc. No. 1] is denied.
2. This action is summarily dismissed for lack of jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 11, 2006

s/ David S. Doty
David S. Doty, Judge
United States District Court